

MESSAGE NO: 4036308

MESSAGE DATE: 02/05/2014

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-979

EFFECTIVE DATE: 01/10/2014

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Antidumping duty scope determination on Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China (A-570-979)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 5 below.

1. Commerce received a scope ruling request from NVT LLC ("NVT"). Commerce issued a final scope determination on 01/10/2014 that the solar modules, which NVT described as being manufactured in Malaysia from solar cells manufactured in Taiwan, and which NVT imports are not within the scope of the antidumping duty order on Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China (A-570-979).
2. Commerce determined that these solar modules are outside the scope of the order because, as described in the request for a scope ruling, the solar modules and solar cells therein were not manufactured in the People's Republic of China. Therefore, these solar modules are not within the scope of the antidumping duty order on Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China.
3. For all entries of solar modules imported by NVT where the solar modules and solar cells therein were not manufactured in the People's Republic of China that remain unliquidated on or after 05/25/2012, CBP shall terminate suspension and liquidate entries of these solar modules which were entered, or withdrawn from warehouse, for consumption.
4. Refund any cash deposits and release any bonds relating to the solar modules described above.
5. These instructions constitute notice of the lifting of suspension of liquidation of entries of the solar modules described above entered, or withdrawn from warehouse, for consumption on or after 05/25/2012.
6. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778

requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Unless instructed otherwise, for all other shipments of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China not covered by paragraph 2 above, you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OIV:JDP.)

9. There are no restrictions on the release of this information.

Michael B. Walsh

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party